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09/710,025	11/09/2000	Sam Denovich	17571	4373

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EXAMINER

TIEU, BINH KIEN

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 01/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/710,025

Applicant(s)

DENOVICH ET AL.

Examiner

BINH K. TIEU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show second compartment 11b as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: second compartment 11b. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Therefore, for an examination purpose, the examiner assumes that the remaining portion of the first housing 11 is considered as a second compartment.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-5 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al. (U.S. Pat. #: 5,623,542) in view of DeBalko et al. (U.S. Pat. #: 5,515,435) (**both references were filed in the IDS form 1449 on 2/16/01 by the Applicants**).

Regarding claim 1, Schneider et al. ("Schneider") teaches a telephone and cable television network interface device as shown in figures 1, 8 and 13, including:

a first housing (i.e., housing 12 as shown in figure 1) having a first compartment (i.e., a telephone company compartment portion ³²~~31~~) and a second compartment (i.e., a telephone subscriber compartment portion ³¹~~32~~);

a first terminal, located in the first compartment, for connection to telephone service (i.e., subscriber line module 91 as shown in figure 8, col.7, lines 34-42 and col.12, line 62 – col.13, line 3);

a cover (i.e., subscriber cover 16) for restricting access to the first compartment by the telephone service subscriber (col.4, line 62 – col.5, line 11);

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a cable television splitter (i.e., cable television module 620 shown in figure 13) located in the first housing, the splitter including a second housing spanning the first and second compartments (col.12, lines 55-66 and col.13, lines 8-57);

a plurality of coaxial cable connectors located in the second housing (i.e., connectors 234, ⁴⁶⁹~~269~~, 464 in figure 13), at least one of the coaxial cable connectors being located in the first compartment (i.e., connector 250) and at least one of the coaxial cable connectors being located in the second compartment, each of the coaxial cable connectors facing the same direction (i.e., coaxial cables 236, 466, 467 and 232 all connected in parallel to each others).

It should be noticed that Schneider teaches individual modules 91 located in the first compartment for connecting incoming telephone wires to subscriber's telephone equipment as stated above. It is also noticed that Schneider fails to clearly teach a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber.

However, DeBalko et al. ("DeBalko") teaches such features in figure 1, element #30, note col.2, lines 9-21 for a purpose of electrically coupling incoming telephone wires to subscriber telecommunication equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber, as taught by DeBalko, into view of Schneider, in order to hook-up telephone services to telephone subscriber's equipment.

Regarding claim 2, Schneider further teaches the limitations of the claim in figure 1.

Regarding claims 3 and 4, Schneider further teaches the limitations of the claims in figure 13.

Regarding claim 5, Schneider further teaches the limitations of the claims such as the ground bar or ground conductor 660 as shown in figures 13-17, col.14, lines 35-59.

Regarding claim 7, Schneider et al. ("Schneider") teaches a telephone and cable television network interface device as shown in figures 1, 8 and 13, including:

- a first housing (i.e., housing 12 as shown in figure 1) having a first compartment (i.e., a telephone company compartment portion 31) and a second compartment (i.e., a telephone subscriber compartment portion 32);

- a first terminal, located in the first compartment, for connection to telephone service (i.e., subscriber line module 91 as shown in figure 8, col.7, lines 34-42 and col.12, line 62 – col.13, line 3);

- a cover (i.e., subscriber cover 16) for restricting access to the first compartment by the telephone service subscriber (col.4, line 62 – col.5, line 11);

- a cable television splitter (i.e., cable television module 620 shown in figure 13) located in the first housing, the splitter including a second housing having a first portion located in the first compartment and a second portion located in the second compartment (col.12, lines 55-66 and col.13, lines 8-57);

- at least one coaxial cable connector located in the first portion of the second housing (i.e., connector 250 in figure 13);

- a plurality of second coaxial cable connectors being located in the second portion of the second housing (i.e., connectors 234, 269, 464);

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wherein each of the coaxial cable connectors has a longitudinal axis and the longitudinal axes of all of the coaxial cable connectors are parallel (i.e., coaxial cables 236, 466, 467 and 232 all connected in parallel to each others).

It should be noticed that Schneider teaches individual modules 91 located in the first compartment for connecting incoming telephone wires to subscriber's telephone equipment as stated above. It is also noticed that Schneider fails to clearly teach a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber. However, DeBalko et al. ("DeBalko") teaches such features in figure 1, element #30, note col.2, lines 9-21 for a purpose of electrically coupling incoming telephone wires to subscriber telecommunication equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber, as taught by DeBalko, into view of Schneider, in order to hook-up telephone services to telephone subscriber's equipment.

Regarding claim 8, Schneider further the limitations of the claim such as the coaxial cables 236, 466, 467 and 232 in figure 13 wherein they all connected to each of connectors 234, 469, 464, 250 in parallel to each others.

Regarding claim 9, Schneider further the limitations of the claim such as the grooves 430 and 434 in figure 13.

Regarding claim 10, Schneider further the limitations of the claim such as the dividing line 33 as a longitudinal axis in figure 13.

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Regarding claim 11, Schneider further teaches the limitations of the claims such as the ground bar or ground conductor 660 as shown in figures 13-17, col.14, lines 35-59.

6. Claims 6 and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al. (U.S. Pat. #: 5,623,542) in view of DeBalko et al. (U.S. Pat. #: 5,515,435) as applied to claim 1 above, and further in view of Daoud (U.S. Pat. #: 5,721,396).

Regarding claims 6 and 12, Schneider and DeBalko, in combination, fails to clearly teach the housing includes an opening and the longitudinal axes of the coaxial cable connectors are perpendicular to the plane defined by the opening. However, Daoud teaches such features as shown in figures 1-4 for a purpose of providing or supplying as many different cables to the point of building entry as the number of subscribers, to meet each subscriber's ongoing service requirements.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the housing includes an opening and the longitudinal axes of the coaxial cable connectors are perpendicular to the plane defined by the opening, as taught by Daoud, into view of Schneider and DeBalko in order to conveniently couple different service cables corresponding to subscriber's ongoing service requirements to subscriber's equipment.

Regarding claim 13, Schneider et al. ("Schneider") teaches a telephone and cable television network interface device as shown in figures 1, 8 and 13, including:

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a first housing (i.e., housing 12 as shown in figure 1) having a first compartment (i.e., a telephone company compartment portion 31) and a second compartment (i.e., a telephone subscriber compartment portion 32);

a first terminal, located in the first compartment, for connection to telephone service (i.e., subscriber line module 91 as shown in figure 8, col.7, lines 34-42 and col.12, line 62 – col.13, line 3);

a cover (i.e., subscriber cover 16) for restricting access to the first compartment by the telephone service subscriber (col.4, line 62 – col.5, line 11);

an opening in the first housing, the opening defining a plane (see covers 14 and 16 as shown in figure 1 as in “open” position and the housing 12 is defining as a plane);

a cable television splitter (i.e., cable television module 620 shown in figure 13) located in the first housing, the splitter including a second housing having a first portion located in the first compartment and a second portion located in the second compartment (col.12, lines 55-66 and col.13, lines 8-57);

at least one coaxial cable connector located in the first portion of the second housing (i.e., connector 250 in figure 13);

a plurality of second coaxial cable connectors being located in the second portion of the second housing (i.e., connectors 234, 269, 464);

wherein each of the coaxial cable connectors has a longitudinal axis and the longitudinal axes of all of the coaxial cable connectors are parallel (i.e., coaxial cables 236, 466, 467 and 232 all connected in parallel to each others).

It should be noticed that Schneider teaches individual modules 91 located in the first compartment for connecting incoming telephone wires to subscriber's telephone equipment as stated above. It is also noticed that Schneider fails to clearly teach a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber. However, DeBalko et al. ("DeBalko") teaches such features in figure 1, element #30, note col.2, lines 9-21 for a purpose of electrically coupling incoming telephone wires to subscriber telecommunication equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a second terminal located in the second compartment for connection to a telephone of a telephone service subscriber, as taught by DeBalko, into view of Schneider, in order to hook-up telephone services to telephone subscriber's equipment.

It should be also noticed that both Schneider and DeBalko, in combination, fails to clearly teach the housing includes an opening and the longitudinal axes of the coaxial cable connectors are perpendicular to the plane defined by the opening. However, Daoud teaches such features as shown in figures 1-4 for a purpose of providing or supplying as many different cables to the point of building entry as the number of subscribers, to meet each subscriber's ongoing service requirements.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the housing includes an opening and the longitudinal axes of the coaxial cable connectors are perpendicular to the plane defined by the opening, as taught by Daoud, into view of Schneider and DeBalko in order to conveniently

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couple different service cables corresponding to subscriber's ongoing service requirements to subscriber's equipment.

Regarding claims 14 and 17, Schneider further the limitations of the claim such as the coaxial cables 236, 466, 467 and 232 in figure 13 wherein they all connected to each of connectors 234, 469, 464, 250 in parallel to each others.

Regarding claim 15, Schneider further the limitations of the claim such as the grooves 430 and 434 in figure 13.

Regarding claim 16, Schneider further teaches the limitations of the claims such as the ground bar or ground conductor 660 as shown in figures 13-17, col. 14, lines 35-59.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Although the Romerein et al. (US. Pat. #: 6,081,169) and Magyar et al. (US. Pat. #: 6,492,594) are not applied into this Office Action, they are also called to Applicants attention. They may be used in future Office Action(s). Both these references are also concerned with a network interface having a housing included an opening and the longitudinal axes of the coaxial cable connectors are perpendicular to the plane defined by the opening (see coaxial cable connector 322 perpendicular with the cover 372 in figure 14 in the Magyar reference; and see drop tap ports in a coaxial cable contribution template as shown in figures 1-3).

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (703) 305-3963 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

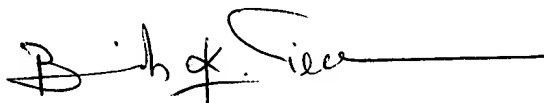
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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).



**BINH TIEU
PRIMARY EXAMINER**

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Date: January 02, 2004